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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/903,683	07/13/2001	Hideharu Yoneyama	KUD.041	4298
21254	7590	10/25/2004	EXAMINER	
MCGINN & GIBB, PLLC 8321 OLD COURTHOUSE ROAD SUITE 200 VIENNA, VA 22182-3817			VO, TED T	
			ART UNIT	PAPER NUMBER
			2122	3
DATE MAILED: 10/25/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

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## Office Action Summary

Application No.

09/903,683

Applicant(s)

YONEYAMA, HIDEHARU

Examiner

Ted T. Vo

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 13 July 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5 and 9-13 is/are rejected.
- 7) ☒ Claim(s) 6-8, 14 and 15 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 7/13/01.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

**DETAILED ACTION**

1. This action is in response to the application filed on 7/13/01.

Claims 1-15 are pending in the application.

***Information Disclosure Statement***

2. The documents cited in Applicant's Information Disclosure Statement are not considered by Examiner because the documents are not written in English. See MPEP, 37 CFR 1.98 (a)(3)(ii).

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-5, 9-13 are rejected under 35 U.S.C. 102(b) as being anticipated by Stack (US Pat. No 5,815,717).

Given the broadest reasonable interpretation of followed claims in light of the specification.

As per Claim 1: Stack discloses,

*An automatic software component creating system comprising:*

*a software component definition data storage section which stores software component definition data therein (See FIG. 6, FILE DEF 92, PGM DEF 94, FIELD DEF 96; and see column 3, lines 46-47, "input event elements" in the image editor: component definition data);*

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*a software component creation rule storage section which stores software component creation rules therein (See FIG 7, RULES 120, 128);*

*a client program creation rule storage section which stores client program creation rules therein (See FIG 7, RULES 122, 126);*

*a software component creating section which creates a software component module with one or more software components based on said software component definition data and said software component creation rules in response to a start instruction (See FIG. 4, Object store, or FIG. 6, SEQUENCE GENERATOR 66; and see Columns 12-13, the body that describes FIG.4); and*

*a client program creating section which creates a client program source code based on said software component definition data, said software component module, and said client program creation rules, when said software component module is created (See FIG. 4, APPLICATION STRUCTURE).*

As per Claim 2: Stack discloses, "

*The automatic software component creating system according to claim 1, wherein said software component definition data includes one module data which includes at least one component data, which includes at least one method data, which includes at least one parameter data (See FIG. 6, "92", "94", "96", and in column 26, at lines 57-58, it shows Field Definition having attributes).*

As per Claim 3: Stack discloses,

*The automatic software component creating system according to claim 2, wherein said module data has a module name, said component data has component data and component attribute data, said method data has a method name, method attribute data, method call format data, and method call order data, and said parameter data has a parameter name, a parameter type, and a parameter type data.*

(Claim recites standard elements of a program, object: These are shown as Programmer Specification in FIG.6).

As per Claim 4: Stack discloses,

*The automatic software component creating system according to claim 2, further comprising: a software component defining section which defines said software component definition data from inputted data to*

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*store in said software component definition data storage section (See FIG. 6, as in APPLICATION SEQUENCES).*

As per Claim 5: Stack discloses,

*“The automatic software component creating system according to claim 4, wherein said software component defining section comprises: a component data defining section which defines said component data associated with said module data from said inputted data; a method data defining section which defines said method data associated with said component data from said inputted data; and a parameter data defining section which defines said parameter data associated with the method data from said inputted data.”* (See FIG. 6, referring to the filed definition 96, file definition 92 in the editor).

As per Claim 9: Claim 9 is a method performed from the claimed components of Claim 1, Stack discloses the claimed limitations as it shows the editor that generate program components as reasoned in connecting to the rejection of Claim 1.

As per Claim 10: Claim 10 is a method performed from the claimed components of Claim 2, Stack discloses the claimed limitations as it shows the editor that generate program components as reasoned in connecting to the rejection of Claim 2.

As per Claim 11: Claim 11 is a method performed from the claimed components of Claim 3, Stack discloses the claimed limitations as it shows the editor that generate program components as reasoned in connecting to the rejection of Claim 3.

As per Claim 12: Claim 12 is a method performed from the claimed components of Claim 4, Stack discloses the claimed limitations as it shows the editor that generate program components as reasoned in connecting to the rejection of Claim 4.

As per Claim 13: Claim 13 is a method performed from the claimed components of Claim 5, Stack discloses the claimed limitations as it shows the editor that generate program components as reasoned in connecting to the rejection of Claim 5.

**Allowable Subject Matter**

5. Claims 6, 8, and 14, 15 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The cited prior arts of record taken alone or in combination, including prior art of record, Stack, fail to teach at least claimed features:

*"wherein said software component creating section comprises: a parameter creating section which creates parameter(s) from said software component definition data and parameter creation rules in response to a parameter creation request; a method creating section which generates said parameter creation request which creating method(s) from said software component definition data and method creation rules in response to a method creation request; a component creating section which generates said method creation request while creating component(s) from software component definition data and component creation rules in response to a component creation request; and a module creating section which generates said component creation request while creating said software component module from said software component definition data and module creation rules", as recited in Claim 6 and in such manners in Claim 14,*

and so as

*"wherein said client program source code creating section comprises: a parameter definition creating section which creates declaration and definition of each of said parameters corresponding to a method to be called from a client program from said software component definition data and parameter definition creation rules of said client program creation rules in response to a parameter definition creation request; a pre-process creating section which creates a pre-process which needs to be executed prior to a call of said software component based on said software component definition data and pre-process creation rules of said client program creation rules in response to a pre-process creation request; a component call creating section which creates a call process of each of said methods of said software component based on said software component definition data and component call creation rules of said client program creation rules in response to a component call creation request; and a post-process creating*

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*section which creates a post-process, which needs to be executed after the call of said software component based on said software component definition data and post-process creation rules of said client program creation rules in response to a post-process creation request; and a client module creating section which creates a framework of said client program source code based on said software component definition data and client module creation rules of said client program creation rules while respectively outputting said parameter definition creation request, said pre-process creation request, said component call creation request and said post-process creation request to said parameter definition creating section, said pre-process creating section, said component call creating section, and said post-process creating section” as recited in Claim 8 and in such manners in Claim 15.*

Claim 7 is objected to because the claims depend on Claim 6, which is objected to above.

### **Conclusion**

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

**Williams**, US No. 6,591,272 B2, discloses method and apparatus to make and transmit objects from a database on a server computer to a client computer.

**Shulman et al**, US No. 6,311,323 B1, discloses a real time tool to assist a computer programmer during the writing and/or maintenance of a computer program.

**Microsoft Corp**, "Microsoft Visual FoxPro Version 3.0 For Macintosh Reviewers Guide", provides a guide for assisting building an application program.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ted T. Vo whose telephone number is (703) 308-9049. The examiner can normally be reached on 8:00AM to 5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tuan Q. Dam can be reached on (703) 305-4552. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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After October 28, 2004, examiner can be reached at new telephone number (571) 272-3706 and the examiner's supervisor, Tuan Q. Dam can be reached on (571) 272-3694.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TED T. VO

TTV

Patent Examiner

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October 14, 2004